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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSEPH MICHAEL GIANNONE, an
individual,

Plaintiff,

vs.

NEVADA PROPERTY 1, LLC d/b/a THE
COSMOPOLITAN OF LAS VEGAS, a
Foreign Limited-Liability Company; DOES I
through XX; and ROE BUSINESS
ENTITIES I through XX, inclusive,

Defendants.

CASE NO.: 2:24-cv-00627 -NJK

**STIPULATION AND ORDER TO MODIFY
SCHEDULING ORDER TO EXTEND
PRETRIAL ORDER DEADLINE (in
compliance with Local Rule 26-3) (Third
Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff, JOSEPH MICHAEL GIANNONE, by and through his counsel of record, Dillon G. Coil, Esq. and Riley A. Clayton, Esq., of Cloward Trial Lawyers, and Defendant, NEVADA PROPERTY 1, LLC d/b/a THE COSMOPOLITAN OF LAS VEGAS, by and through their attorneys of record, D. Lee Roberts, Jr., and Phillip N. Smith, Jr., Esq. of Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC, that the deadlines in the controlling stipulation and scheduling order [ECF NO. 50] be continued as follows:

A. DISCOVERY COMPLETED PURSUANT TO FED. R. CIV. P. 26(a):

1. The parties participated in the Fed. R. Civ. P. 26(f) conference on May 22, 2024.
2. Plaintiff produced his initial Fed. R. Civ. P. 26(a) disclosures on June 18, 2024.





3. Defendant produced its initial Fed. R. Civ. P. 26(a) disclosures on June 21, 2024.
4. Plaintiff produced his first supplemental Fed. R. Civ. P. 26(a) disclosures on August 20, 2024.
5. Plaintiff deposed Defendant's employee, Anthony Mora, on September 24, 2024.
6. Plaintiff deposed Defendant's employee, Daniel Quinlan, on September 24, 2024.
7. Plaintiff deposed Defendant's employee, Phillip Garcia, on September 25, 2024.
8. Defendant produced its first supplemental disclosure on September 27, 2024.
9. Defendant produced its second supplemental Fed. R. Civ. P. 26(a) disclosures on September 27, 2024.
10. Plaintiff deposed Defendant's employee, DeSean Johnson, on October 11, 2024.
11. Plaintiff deposed Defendant's employee, Christian Guerra, on October 11, 2024.
12. Plaintiff served written discovery to Defendant on October 14, 2024.
13. Defendant produced its third supplemental Fed. R. Civ. P. 26(a) disclosures on October 18, 2024.
14. Mediation was held with Hon. Trevor Atkin (Ret.) on October 23, 2024.
15. Defendant served its responses to Plaintiff's written discovery on November 20, 2024.
16. Defendant produced its fourth supplemental Fed. R. Civ. P. 26(a) disclosures on November 20, 2024.
17. Plaintiff deposed Defendant's employee, LaRon Sanders, on November 21, 2024.
18. Plaintiff served his initial designation of expert witnesses on November 25, 2024.
19. Plaintiff produced his second supplemental Fed. R. Civ. P. 26(a) disclosures on November 25, 2024.
20. Defendant served its initial designation of expert witnesses on November 25, 2024.
21. Defendant produced its fifth supplemental Fed. R. Civ. P. 26(a) disclosures on November 26, 2024.
22. Plaintiff deposed Defendant's employee, Matt Mikich, on December 13, 2024.
23. Plaintiff served his designation of rebuttal expert witnesses on December 23, 2024.

24. Plaintiff produced his third supplemental Fed. R. Civ. P. 26(a) disclosures on December 23, 2024.

25. Defendant served its designation of rebuttal expert witnesses on December 26, 2024.

26. Defendant deposed Plaintiff, Joseph Giannone, on February 7, 2025.

27. Plaintiff deposed Defendant's FRCP 30(b)(6) Designee, Matthew John Rice, on March 25, 2025.

28. Defendant produced its sixth supplemental Fed. R. Civ. P. 26(a) disclosures on April 3, 2025.

29. Plaintiff produced its fourth supplemental Fed. R. Civ. P. 26(a) disclosures on May 1, 2025.

B. DISCOVERY TO BE COMPLETED PURSUANT TO FED. R. CIV. P. 26(a):

1. None.

C. REASONS WHY PRETRIAL ORDER CANNOT BE COMPLETED BY DEADLINE SET FORTH IN SCHEDULING ORDER

Under the controlling Order [ECF NO. 50], the Joint Pretrial Order is due August 5, 2025.

Since the previous request to modify the scheduling order was granted in part, the parties have agreed to participate in and have scheduled a continued private mediation on September 10, 2025 with the Hon. David Jones (Ret.).

The additional time requested in this special scheduling review would provide a reasonable amount of time to move this case forward, including allowing time for new counsel to participate in mediation, meet and confer regarding the Pretrial Order, and prepare and file the same. The parties therefore stipulate to and propose a 60-day extension of the current Pretrial Order deadline, as follows:

D. PROPOSED SCHEDULE

Activity:	Current Deadline:	Proposed Deadline:
Last Day to Amend Pleadings/ Add Parties	Closed	No Change
Initial Expert Disclosure	Closed	No Change
Rebuttal Expert Disclosure	Closed	No Change
Close of Discovery	Closed	No Change



Dispositive Motion Deadline	Closed	No Change
Pretrial Order (if no dispositive motions are filed)	August 5, 2025	October 3, 2025

IT IS SO STIPULATED.

DATED this 5th day of August, 2025.

CLOWARD TRIAL LAWYERS

/s/ Dillon G. Coil, Esq.

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Attorneys for Plaintiff

DATED this 5th day of August, 2025.

**WEINBERG, WHEELER, HUDGINS,
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In addition, a joint status report must
be filed by September 17, 2025.

ORDER

IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE